

Serial No. 10/501,000

REMARKS

Responsive to the Office Action dated March 13, 2007, Applicant has rewritten the claims to more clearly define the invention.

Claims 1, 4-11 and 14-30 remain in the case. By this Amendment, Applicant has canceled claims 1 and 4-10, 15-19, 22-24, 26, 28 and has amended the remaining claims.

Reconsideration is requested over the 37 U.S.C. 112, first paragraph rejection of Claims 11, 14, 29, and 30. The rejection is based on the recitation of a vaporizer in the claims as not being sufficiently defined in the specification to enable a person skilled in the art to make or use the invention. The specification and drawings illustrate two types of vaporizers. A passive vaporizer which has a vaporizing liquid supporting media which is charged with a vaporizing liquid for evaporation into the surrounding air and which may have a heater to vaporize an aromatic essence into the air, as illustrated in Figures 2,7,8,9,11,12,17, 18,21,28,32,33,36,38,39,40,48,49,52, and 54A. An active vaporizer uses a fan blowing through a liquid essence holding media, such as a filter element, to which a vaporizing liquid is added and which is used with or without a heater is illustrated in Figures 23,23A,51, and 53.

Serial No. 10/501,000

The specification describes the passive vaporizer as having a holder which has an aromatic essence which can be released into the air adjacent to a person's face (Figure 2) and has a material specifically designed for receiving an aromatic or other chemical which is dispensed and provides an aromatic essence around a person's head (Figure 7). Also as a therapeutic blanket which can have an essence added thereto and having a supporting material directly on the blanket. Also as a special essence holding slot incorporated for receiving the aromatic essence for a person to breath and as an absorbent material which can have the essence applied thereto and is an aromatic essence supporting material for an individual to breath (Figures 9-12). Also as a hat having a brim with an absorbent essence holding surface. The essence being applied and positioned in front of a person's face for the evaporation and dispensing of the essence to a person directly over their nose (Figures 33,35,36) and describes a handbag having an essence dispensing surface on the top with an essence dispenser, as illustrated in Figure 38 and 39, and has a therapeutic cloth having a specially absorbent material for receiving an essence near the person's head and having a fabric made of a material for receiving therapeutic essence thereinto for general inhalants or to relieve pain and can also be heated or cooled. Also as an item having a

Serial No. 10/501,000

dispensing surface added thereto which can have an aromatic or other essence added thereto for dispensing to the air and body.

The active vaporizer is described, as illustrated in Figure 23, as having an essence holder for receiving an essence for sliding into a slot within the dispenser fan. The specification also provides for a hollowed out area allows the essence to be distributed by the dispenser which also has heating elements for dispensing the essence and distributing air throughout the area. In connection with Figure 5, an air fan directs air through a filter which has an aromatic essence placed therein and in connection with Figure 53 having therapeutic dispensing devices including an aromatic dispensing unit having a fan directing air through a filter having an aromatic essence placed thereon for dispensing on openings.

Applicant believes that the drawings and specification meet the enabling requirement of 35 U.S.C. 112 in that a person of ordinary skill in the art, or for that matter an ordinary person, can easily make and use the two types of vaporizers described in the specification and shown in the drawings. Accordingly, reconsideration is requested of the 35 U.S.C. 112 rejection.

The 35 U.S.C. 102 rejection has been negated by the cancellation of claims 22-24.

Serial No. 10/501,000

Reconsideration is requested over the 35 U.S.C. 103(a) rejection of claims 11, 14, 16, 21, 25, 27, 29, and 30 as being unpatentable over Fukuoka. The newly cited Fukuoka reference is for footwear which is provided with pressure projections adapted to pressure stimulate defective spots of a foot and provide simulated finger pressure treatment. Each of the pressure projections has a magnet for applying magnetism to the defective spots. Defective spots of the foot are first subjected to multiple stimulating effects obtained by the pressure stimulation due to the pressure projections and the magnet stimulation due to the magnets. This patent does not disclose a decorative therapeutic apparatus having a decorative soft sculpture animal figure shaped to be attached to a person, as now claimed in claim 11. It has a pair of therapeutic devices but they are not attached to a decorative object adjacent a person wearing the decorative soft sculpture and which includes an active vaporizer for producing therapeutic vapors having a heating element and a fan, as previously set forth in claim 18 and added to claim 11. It also does not have the therapeutic devices camouflaged in a decorative soft sculpture having an animal figure shape. That is, Fukuoka has none of the limitations of this claim except for a plurality of therapeutic devices which are different from the therapeutic devices of the claim. Even the pressure

Serial No. 10/501,000

projections of this patent are not positioned accupressure points as in the present invention. Additional therapeutic devices are added to this claim in claims 14, 16, and 18-20.

Claim 25 provides a hat having a brim for wearing on the head of an individual and in which a camouflaged passive vaporizer is located in the brim and is made of a vaporizing liquid support material formed in the brim to hold a vaporizing liquid for vaporizing adjacent a person's face and nose. The Fukuoka patent simply does not disclose the hat having a brim and having a camouflaged passive vaporizer located in the brim.

Claim 27, as amended, provides for a therapeutic purse in which a ladies purse has a plurality of therapeutic devices which includes an electronic massager positioned for massaging an area of the injury to a body when held thereagainst and in which the heating pad is positioned for heating an area of an individual's body when held thereagainst. None of the elements of this claim are taught by the Fukuoka patent nor the additional limitation in claim 29. One of plurality of therapeutic devices is a vaporizer for vaporizing a liquid adjacent the purse.

Claim 30 provides a therapeutic piece of furniture which includes a piece of furniture and a plurality of therapeutic devices attached thereto and camouflaged therein and includes a vaporizer

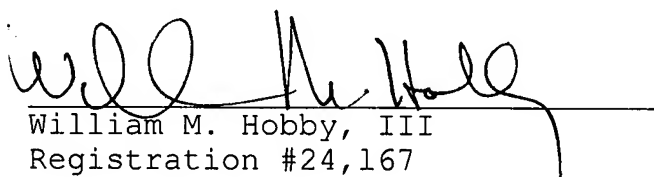
Serial No. 10/501,000

for producing therapeutic papers. The vaporizer has a fan and a filter for holding an aromatic essence and directing air through the filter to thereby dispense the aromatic essence. The active vaporizer is visually camouflaged from view so that a plurality of therapeutic devices can provide therapeutic action for a person adjacent the furniture. None of the elements of this claim is disclosed in the Fukuoka patent other than that Fukuoka has the pair of therapeutic devices.

The present invention would clearly be unobvious to a person of ordinary skill in the art in view of Fukuoka at the time the invention was made.

Accordingly reconsideration and allowance are respectfully requested.

Respectfully submitted,



William M. Hobby, III
Registration #24,167

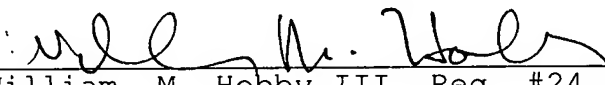
157 E. New England Avenue
Suite 375
Winter Park, Florida 32789
(407) 644-8888

Serial No. 10/501,000



Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 6-11-07.


By: William M. Hobby III, Reg. #24,167